



7 / K.T.
6/25
Suppl.
Patent
Attorney's Docket No. 032775-078

Z.D.S.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

JUN 24 2002

TECH CENTER 1600/2900

In re Patent Application of)

Coffey et al.)

Application No.: 09/987,687)

) Group Art Unit: 1635

Filed: November 15, 2001)

) Examiner: Angell, Jon E.

For: Method for Optionally Delivering)
Virus to a Solid Tumor Mass)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. §1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98. Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

1. WO 00-50051 A, 31 August 2000.
2. EP 0 564 321 A, 6 October 1993.
3. Au, J. et al., "Determinants of drug delivery and transport to solid tumors", *J. of Controlled Release* **74**(1-3):31-46 (2001).
4. Jain, R.K., "Delivery of molecular and cellular medicine to solid tumors", *J. of Controlled Release* **53**(1-3):49-67 (1998).

These documents are being submitted before a first Office Action on the merits, therefore no fee is required under 37 C.F.R. § 1.97(b). In the event an Office Action is mailed by the United States Patent and Trademark Office prior to receipt of this

Supplemental Information Disclosure Statement

Application No. 09/987,687

Attorney's Docket No. 032775-078

Page 2


Information Disclosure Statement, Applicants hereby make the statement specified in 37 C.F.R. §1.97(e) that each document contained herein was first cited in the International Search Report for the corresponding PCT application (PCT/CA01/01612) within 3 months of the filing date of this Supplemental Information Disclosure Statement. Therefore, no fee is required under 37 C.F.R. § 1.97(c). A copy of this International Search Report is also enclosed herewith.

By citing the above references, Applicants do not acquiesce or admit that any of these documents is "prior art" under 35 U.S.C. Applicants specifically reserve the right, where appropriate, to antedate any of the cited documents by an appropriate showing under 37 C.F.R. §1.131, §1.604, §1.608 or any other suitable means.

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 
Ping F. Hwung
Registration No. 44,164
Attorney for Applicants
Redwood Shores, CA Office
(650)-622-2300

P.O. Box 1404
Alexandria, Virginia 22313-1404

Date: June 19, 2002



Patent
Attorney's Docket No. 032775-078

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE #7

In re Patent Application of

Coffey et al.

Application No.: 09/987,687

Filed: November 15, 2001

For: METHOD FOR OPTIMALLY
DELIVERING VIRUS TO A SOLID
TUMOR MASS

Group Art Unit: 1635

Examiner: Angell, Jon E.

RECEIVED

JUN 24 2002

TECH CENTER 1600/2900

**INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is a Supplemental Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A certification under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A certification under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \$_____ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of \$_____ is enclosed for the fee due.


The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404
Alexandria, Virginia 22313-1404
(650) 622-2300

By:


Ping F. Hwung
Registration No. 44,164

Date: June 19, 2002